United Nations A/63/699

General Assembly

Distr.: General
2 February 2009

Original: English

Sixty-third session
Agenda items 55 (b), 55 (e) and 64 (e)

Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family

Review and appraisal of the World Programme of Action concerning Disabled Persons

Convention on the Rights of Persons with Disabilities

Note verbale dated 29 January 2009 from the Permanent Mission of Brazil to the United Nations addressed to the Secretary-General

The Permanent Mission of Brazil to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to request the circulation of the Santos Charter (see annex), adopted by the Meeting of Portuguese-speaking Countries for the Dissemination and Implementation of the Convention on the Rights of Persons with Disabilities and its Optional Protocol (10 and 14 September 2008, Santos, Brazil), in connection with agenda items 64 (e) and 55 (b) and (e) of the sixty-third session of the General Assembly.

09-22537 (E) 100209

Annex to the note verbale dated 29 January 2009 from the Permanent Mission of Brazil to the United Nations addressed to the Secretary-General

Santos Charter

We, the 570 participants from eight Portuguese speaking countries, namely, Angola, Brazil, Cape Verde, Guinea-Bissau, Mozambique, Portugal, Sao Tome and Principe and Timor-Leste, with the participation of representatives from the Disability Sector from fellow Latin American countries, namely: Mexico, Costa Rica, Guatemala, Paraguay, Chile, Panama, Honduras and Peru, as well as observers from other countries and international organizations such as the United Nations, the Organization of American States (OAS), the Pan American Health Organization (PAHO), among others.

* Gathered between September 10th and 14th, 2008 in Santos - São Paulo State - Brazil, for the Meeting of Portuguese Speaking Countries for the Dissemination and Implementation of the Convention on the Rights of Persons with Disabilities and its Optional Protocol (henceforth Convention), adopted by UN;

* Celebrating the entry into force of the Convention and seeking to promote and to encourage its ratification, implementation and monitoring in the Portuguese Speaking Countries, in consonance with others Human Rights International treaties;

* Conscious that, in spite of the discontinuous geographic space and of the differentiated levels of social-economical development, we share a common language - Portuguese - that constitutes an important factor of historical and cultural identity;

* Emphasizing the fact that, in spite of being spoken by approximately 236 millions of persons all around the world, the Portuguese language is not one of UN official languages, resulting on the restriction and, several times, on the exclusion of participation, active role and representation, with all the consequences arising therefrom;

* Recognizing the historical importance and the effort undertaken so far, with the creation of the FDLP - Federation of Associations of Persons with Disabilities from Portuguese Speaking Countries;

* Reaffirming the importance of the cooperation and coalition efforts for the ratification, implementation and monitoring of the Convention among the Portuguese Speaking Countries, in tandem with other countries, particularly the countries of the South that are afflicted by poverty;

* Taking into account the situation of vulnerability, exclusion, inequality and poverty experienced by most the population from our countries, as well as the distinct development phases of the legislation and the public policies concerning disability area;

* Understanding that the human rights of persons with disabilities, especially those who live in poverty situation, will only come into effect through the mainstreaming of inclusive actions in the field of social and economical development;

* Conscious about the necessity of special attention to the situation of vulnerability of women, children and elderly with disabilities and of those persons with disabilities and their families, affected by several situations originated, for instance, from armed conflicts, from urban and domestic violence, and from HIV/AIDS, among others;

- Concerned with the lack of mechanisms that assure the effective exercise of the human rights and dignity of persons with disabilities, emphasized in the Convention, and with the necessity of visibility and the effective engagement of this group on the national, regional and international levels;

- Seeking to assure that disabled persons and their respective families, as well as their representative organizations, are enabled, empowered and involved in all the phases of the ratification, implementation and monitoring process of the Convention, and that they can find answers for their individual and collective questions in the light of this international instrument;

In face of this historical, political, social, economical and cultural context, we propose:

- That each State put forth its best to assure, at national level, the necessary resources for implementing the rights provided in the Convention;

- The establishment of mechanisms of technical and financial cooperation in order to promote and to make effective opportunities for the North/South and South/South collaboration, with a view to the ratification, implementation and monitoring of the Convention;

- The strengthening of the capacity of the organizations of persons with disabilities in order to maximize its social role in defense of the human rights and of the inclusive development;

- The training of law professionals, within the Judicial System of each country, since their individual initial and continued education, for the mainstreaming of the inclusive approach on all areas of their work;

- That the establishment of networks and other spaces and mechanisms of information sharing, communication, interchange, mobilization and cooperation be encouraged and supported among the different participants, at the Portuguese Speaking Countries and their peers, at local, regional and international levels;

- That the access to inclusive education and the primary health care for persons with disabilities and their families be ensured at the community level;

- That there be representation of Portuguese Speaking Countries in the international organizations and forums in the field of disabilities and/or others related to the Convention; and that it includes representation of the disabilities sector and the mainstreaming of the question of inclusion in the organizations, forums and activities related to Portuguese Speaking Countries, particularly the Community of Portuguese Speaking Countries, including to promote and to support the ratification and implementation of the Convention;

- That the enlargement, development and consolidation of the Federation of Associations of Persons with Disabilities from Portuguese Speaking Countries be supported;

- The coordination of efforts to disseminate, ratify and implement the Convention in Portuguese Speaking Countries in an manner integrated to the Global Development Agenda — Millennium Development Goals, Poverty Reduction Strategic Plans, Human Development Index and other instruments;

- The establishment and adoption of inclusion indicators in all instruments and mechanisms for monitoring and evaluating public policies and programs concerning development, in the light of the Convention;

- The promotion and organization of meetings of the cooperative network for the Inclusive Development among the Portuguese Speaking Countries to develop joint action plans and to assess their evolution and impact on the life of persons with disabilities.

We recognize and appreciate the initiative and support from the Secretaria de Estado dos Direitos da Pessoa com Deficiência de São Paulo (São Paulo State Government Department for the Rights of Persons with Disabilities), in Brazil, as well as from other partners listed as it follows, for holding this historic event:

- Governo do Estado de São Paulo (São Paulo State Government); Secretaria de Estado da Saúde de São Paulo (São Paulo State Health Department); Fundação Faculdade de Medicina (Medical School Foundation); Conselho Estadual dos Assuntos da Pessoa com Deficiência de São Paulo (São Paulo State Government Board on Disabled Persons Matters); Conselho Municipal da Pessoa com Deficiência de São Paulo (São Paulo City Municipal Government Board on Disabled Persons); Conselho Nacional dos Direitos da Pessoa com Deficiência - CONADE (National Council on the Rights of Persons with Disabilities - CONADE); Coordenadoria Nacional para Inclusão da Pessoa com Deficiência - CORDE (National Co-ordinating Bureau for the Inclusion of Persons with Disabilities - CORDE); Prefeitura de Santos, SP (Santos, SP City Hall); Conselho Municipal da Pessoa com Deficiência de Santos - CONDEFS (Santos Municipal Council of Persons with Disabilities - CONDEFS); Centro de Vida Independente Araci Nallin, São Paulo (Araci Nallin Independent Living Center, São Paulo); FDLP - Federação das Associações de Deficientes dos Países Lusófonos (FDLP - Federation of Associations of Persons with Disabilities from Portuguese Speaking Countries); Rede Latino-Americana de Organizações Não-Governamentais de Pessoas com Deficiência e suas Famílias - RIADIS; (Latin-American Network of Non-Government Organizations Associations of Persons with Disabilities and their Families - RIADIS); Instituto Interamericano de Deficiência e Desenvolvimento Inclusivo - IIDP (Inter-American Institute of Disability and Inclusive Development - IIDP); Business Square; Maxpress.

And we call upon the ones herein represented to proceed with the process of valorization and cooperation among the Portuguese Speaking Countries, in order to realize the Human Rights and the Social Inclusion of Persons with Disabilities.